

The Clerk recall the resolution as follows:

H. RES. 630

Resolved, That Edward A. Gar-matz, of Maryland, be and he is hereby, elected chairman of the standing Committee of the House of Representatives on Merchant Marine and Fisheries.

Immediately thereafter, the resolution was agreed to.

Parliamentarian's Note: The appointment of committee chairmen is ultimately determined by the party organizations, i.e., the Democratic Caucus or the Republican Conference depending upon which party constitutes the majority party at the time. For treatment of this subject, see Chapter 3, *supra*.

Beginning with the 94th Congress, the Steering and Policy Committee, chosen by the Democratic Caucus, rather than the Democratic membership of the Ways and Means Committee, has acted in the capacity of the Democratic Committee on Committees. The Chairman of the Democratic Caucus is now recognized to offer resolutions electing committee chairmen and members. (See, for example, H. Jour. 127, 95th Cong. 1st Sess., Jan. 19, 1977.)

§9. Electing Members to Standing Committees

The sections that follow discuss the manner in which the House elects members to standing committees.⁽¹⁰⁾ Considerations involving the election of members to subcommittees are not reflected in the precedents, as determinations are separately made by the majority and minority party members who constitute the membership of the committee.

For example, under the 1977 rules of the Democratic Caucus,⁽¹¹⁾ once the Caucus has approved that party's nominees to the standing committees (or other committees with legislative jurisdiction), the chairman of each is obliged to call a meeting of all the Democratic members of the committee, giving at least three days notice and prior to any organizational meeting of the full committee.⁽¹²⁾ The Democratic members of the committee—also known as the committee caucus—then fill the subcommittee positions in the following manner:

(1) Step One—Members who served on the committee in the preceding Con-

10. For a discussion of the role of party organizations with regard to this process, see Ch. 3, *supra*. For an in-depth treatment of the role of party organizations with respect to committee assignments, see the rules of the Democratic Caucus and the rules of the Republican Conference.

11. Democratic Caucus rules (June 2, 1977) section M III A.

12. Democratic Caucus rules (June 2, 1977) section M V B.

gress shall be entitled to retain not more than two subcommittee assignments held on that committee in the preceding Congress. Members chosen as subcommittee chairmen . . . shall be entitled to retain only one other subcommittee assignment held on that committee in the preceding Congress.

(2) Step Two—Members who retain no subcommittee assignments in Step One and new Members shall be entitled, in order of their ranking on the full committee, to select one subcommittee position each.

(3) Step Three—Members who have selected only one subcommittee assignment shall be entitled, in order of their ranking on the full committee, to select a second subcommittee assignment, to the extent that subcommittee size permits.

(4) Step Four—Any remaining subcommittee vacancies shall be filled by additional rounds of selection in order of Members' ranking on the full committee.

(5) If a committee Caucus determines . . . that Members may bid for subcommittee chairmanships by subcommittee rather than full committee seniority, the ranking Members on each subcommittee shall be determined by the order in which Members elect to go on the subcommittee.

The Republican Conference does not have a definitive rule or procedure for selecting its proposed subcommittee members.⁽¹³⁾

Parliamentarian's Note: Resolutions at the commencement of a

13. Rules of the Conference of the Republican members-elect of the United States House of Representatives, 96th Congress.

Congress initially electing Members to standing committees have traditionally been called up as privileged at the direction of the party organization.⁽¹⁴⁾ As the result of adoption of the Committee Reform Amendments of 1974 (H. Res. 988, 120 CONG. REC. 34447-70, 93d Cong. 2d Sess., Oct. 8, 1974, effective Jan. 3, 1975), beginning in the 94th Congress the overall size of standing committees was no longer designated in the standing rules, but party caucuses were specifically vested with authority to nominate Members for election to standing committees at the commencement of each Congress.⁽¹⁵⁾ Thus, beginning with the 94th Congress, the overall size of committees was in effect determined by the committee ratios negotiated by the party leaders at the direction of their respective party organizations and by the resulting numbers of Members elected to those committees by separate privileged resolutions called up by each party's designee. The party organizations retained the customary prerogative of calling up as privileged resolutions electing committee members subsequent to the election of members at the commencement of each

14. 8 Cannon's Precedents §§ 2179, 2182.

15. Rule X clause 6(a) (1), *House Rules and Manual* § 701(a) (1979).

Congress, either in situations where specific vacancies had been created by resignations accepted by the House, where additional majority or minority members were being elected to committees pursuant to an implicit understanding between the two party organizations as to the existence of "vacancies" based upon the ratio on, and the absence of a designated overall size of, that standing committee, or where re-ranking of elected Members was necessary to conform with party caucus rules on simultaneous holding of party and committee positions.

Electing Many Members Simultaneously at Beginning of Congress

§9.1 The House by a single privileged resolution recommended by party caucus or conference normally erects en bloc most members from a particular party to various committees of the House.

On Jan. 23, 1967,⁽¹⁶⁾ Speaker John W. McCormack, of Massachusetts, recognized Mr. Wilbur D. Mills, of Arkansas, who offered

16. 113 CONG. REC. 1086, 90th Cong. 1st Sess.

the following privileged resolution (H. Res. 165):⁽¹⁷⁾

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Agriculture: W. R. Poage (chairman), Texas; E. C. Gathings, Arkansas; John L. McMillan, South Carolina; Thomas G. Abernethy, Mississippi; Watkins M. Abbitt, Virginia. . . .

Committee on Banking and Currency: Wright Patman (chairman), Texas; Abraham J. Multer, New York; William A. Barrett, Pennsylvania; Leonor K. (Mrs. John B.) Sullivan, Missouri; Henry S. Reuss, Wisconsin. . . .

Committee on the District of Columbia: John L. McMillan (chairman), South Carolina; Thomas G. Abernethy, Mississippi; William L. Dawson, Illinois; Abraham J. Multer, New York. . . .

Committee on Education and Labor: Carl D. Perkins (chairman), Kentucky; Edith Green, Oregon; Frank Thompson, Jr., New Jersey; Elmer J. Holland, Pennsylvania; John H. Dent, Pennsylvania. . . .

Committee on Foreign Affairs: Thomas E. Morgan (chairman), Pennsylvania; Clement J. Zablocki, Wisconsin; Omar Burleson, Texas; Edna F. Kelly, New York. . . .

Committee on Government Operations: William L. Dawson (chairman),

17. Only a few of the Members' named, are shown in this excerpt from the resolution. In its entirety, the resolution provided for the election of more than 240 Members.

Illinois; Chet Holifield, California; Jack Brooks, Texas; L. H. Fountain, North Carolina. . . .

Committee on Interior and Insular Affairs: Wayne N. Aspinall (chairman), Colorado; James A. Haley, Florida; Ed Edmondson, Oklahoma; Walter S. Baring, Nevada. . . .

Committee on Interstate and Foreign Commerce: Harley O. Staggers (chairman), West Virginia; Samuel N. Friedel, Maryland; Torbert H. Macdonald, Massachusetts; John Jarman, Oklahoma. . . .

Committee on the Judiciary: Emanuel Celler (chairman), New York; Michael A. Feighan, Ohio; Edwin E. Willis, Louisiana; Peter W. Rodino, Jr., New Jersey. . . .

Committee on Merchant Marine and Fisheries: Edward A. Garmatz (chairman), Maryland; Leonor K. (Mrs. John B.) Sullivan, Missouri; Frank M. Clark, Pennsylvania; Thomas L. Ashley, Ohio. . . .

Committee on Post Office and Civil Service: Thaddeus J. Dulski (chairman), New York; David N. Henderson, North Carolina; Arnold Olsen, Montana; Morris K. Udall, Arizona. . . .

Committee on Public Works: George H. Fallon (chairman), Maryland; John A. Blatnik, Minnesota; Robert E. Jones, Alabama; John C. Kluczynski, Illinois. . . .

Committee on Science and Astronautics: George P. Miller (chairman), California; Olin E. Teague, Texas; Joseph E. Karth, Minnesota; Ken Hechler, West Virginia. . . .

Committee on Un-American Activities: Edwin E. Willis (chairman), Louisiana; William M. Tuck, Virginia; Joe R. Pool, Texas; Richard H. Ichord, Missouri. . . .

Committee on Veterans' Affairs: Olin E. Teague (chairman), Texas; W. J. Bryan Dorn, South Carolina; James A. Haley, Florida; Walter S. Baring, Nevada. . . .

Shortly thereafter,⁽¹⁸⁾ the resolution was agreed to.

Parliamentarian's Note: The Committees on Appropriations, House Administration, Rules, and Ways and Means had been previously elected, it being necessary to the early organization of the House in the 90th Congress.

Electing Members to Newly Created Committees

§ 9.2 Members are elected to newly created standing committees of the House by privileged resolution called up by the party caucus.

On May 1, 1967,⁽¹⁹⁾ shortly after the House convened, Speaker John W. McCormack, of Massachusetts, recognized Mr. Wilbur D. Mills, of Arkansas, Chairman of the Committee on Ways and Means (and the Democratic Committee on Committees), who offered a privilege resolution (H. Res. 457), which read as follows:

Resolved, That the following-named Members be, and they are hereby,

18. 113 CONG. REC. 1087, 90th Cong. 1st Sess.

19. 113 CONG. REC. 11281, 90th Cong. 1st Sess.

elected members of the standing Committee of the House of Representatives on Standard of Official Conduct: Melvin Price (chairman), Illinois; Olin E. Teague, Texas; Joe L. Evins, Tennessee; Watkins M. Abbitt, Virginia; Wayne N. Aspinall, Colorado; Edna F. Kelly, New York.

House Resolution 457 was agreed to without debate.

Immediately thereafter, Gerald R. Ford, of Michigan, the Minority Leader, offered a similarly privileged resolution (H. Res. 458) which stated:

Resolved, That the following-named Members be, and they are hereby, elected members of the standing Committee on Standards of Official Conduct: Charles A. Halleck, Indiana; Leslie C. Arends, Illinois; Jackson E. Betts, Ohio; Robert T. Stafford, Vermont; James H. Quillen, Tennessee; Lawrence G. Williams, Pennsylvania.

House Resolution 458, the minority party's counterpart to House Resolution 457, was also agreed to without debate.

Parliamentarian's Note: On occasion, the Member offering a resolution electing a person or persons to a standing committee will acknowledge the fact that such proposals arise from party determinations. See, for example, 108 CONG. REC. 263, 87th Cong. 2d Sess., Jan. 16, 1962, where Mr. Francis E. Walter, of Pennsylvania, offered a similar resolution

"by direction of the Democratic Caucus."

See §9.4, *infra*, for the resolution (H. Res. 418) establishing the Committee on Standards of Official Conduct.

Privileged Status of Electing Resolution

§ 9.3 A resolution providing for the election of a Member to a standing committee of the House is presented as privileged.

On July 8, 1969,⁽²⁰⁾ Speaker John W. McCormack, of Massachusetts, recognized Wilbur D. Mills, of Arkansas, who, in his capacity as Chairman of the majority party's Committee on Committees,⁽²¹⁾ made the following statement:

Mr. Speaker, I offer a privileged resolution (H. Res. 471) and ask for its immediate consideration.

The resolution (H. Res. 471) as then read by the Clerk, as follows:

Resolved, That John Melcher, of Montana, be, and he is hereby, elected to the standing committee of the House of Representatives on Agriculture.⁽²²⁾

20. 115 CONG. REC. 18608, 91st Cong. 1st Sess.

21. See Ch. 3, §11, *supra*.

22. For another example see 112 CONG. REC. 27486, 89th Cong. 2d Sess., Oct. 18, 1966, where a resolution (H.

Parliamentarian's Note: Immediately prior to the consideration of House Resolution 471 as privileged, the House had by unanimous consent considered and agreed to House Resolution 470⁽¹⁾ which expanded the size of the Committee on Agriculture from 33 to 34 members for the remainder of the 91st Congress, in order that a vacancy could be created on that committee to which Mr. John Melcher, of Montana, could then be elected by privileged resolution reported from the Democratic Committee on Committees. This sequence of consideration of resolutions, first creating a vacancy on a standing committee and then electing a Member to fill that vacancy is illustrative of the practice traditionally followed by the House until the end of the 93d Congress. Under that practice, Rule X of the standing rules designated the overall size of each standing committee, and resolutions enlarging the size of standing committees were either considered by unanimous consent or by privileged report from the Committee on Rules. Then, with a

vacancy having been so created, or by resignation of a committee member accepted by the House, the consideration of a resolution at the direction of the party caucus or committee on committees became privileged in order to fill the vacancy.

Significance of Party Ratios

§9.4 In both the House and Senate, the party ratios on most standing committees tend to reflect the relative membership of the two parties in the House or Senate as a whole. Sometimes, however, the membership of a committee is equally divided between the majority and minority parties where bipartisan deliberations are considered essential.

On Apr. 13, 1967,⁽²⁾ by direction of the Committee on Rules, Mr. William M. Colmer, of Mississippi, called up House Resolution 418 and asked for its immediate consideration. The resolution read as follows:

Resolved, That there is hereby established a standing committee of the House of Representatives to be known as the Committee on Standards of Official Conduct (hereafter referred to as

Res. 1066) providing for the election of Mr. Richard L. Ottinger [N.Y.], to the Committee on Interstate and Foreign Commerce was similarly presented as privileged.

1. 115 CONG. REC. 18608, 91st Cong. 1st Sess, July 8, 1969.

2. 113 CONG. REC. 9425, 90th Cong. 1st Sess.

the "committee"). The committee shall be composed of twelve Members of the House of Representatives. Six members of the committee shall be members of the majority party and six shall be members of the minority party.

Sec. 2. The jurisdiction of the committee shall be to recommend as soon as practicable to the House of Representatives such changes in laws, rules, and regulations as the committee deems necessary to establish and enforce standards of official conduct for Members, officers, and employees of the House.

Sec. 3. The committee may hold such hearings and take such testimony as may be necessary to carry out the purposes of this resolution.

In the course of the ensuing discussion, Mr. Colmer directly touched upon the division of the committee's membership between the parties. He explained the unusual arrangement, as follows:

The resolution authorizes that standing committee to consist of 12 members, six from the majority side and six from the minority side. Why was that done? It was done because the committee in its wisdom recognized that this aisle here, separating the minority from the majority, does not apply in the matter of honor and integrity and ethics. The subject matter is not political. For the same reason, it was made a standing committee rather than a select committee on the theory that there is no reason to suspect or to believe that the 91st Congress and its successors will be more ethical or more honorable than the 90th Congress.

The resolution was adopted⁽³⁾ by a ye a and nay vote of 400 to 0.⁽⁴⁾

Parliamentarian's Note: See Chapter 3, §9, supra, for discussion of determinations relating to party ratios on standing committees.

§9.5 The Senate Majority Leader announced that the change in party affiliation by a Senator might necessitate a change in party ratios on certain committees, depending on the committee assignment given the Senator.

On Sept. 21, 1964,⁽⁵⁾ Presiding Officer Pierre E. G. Salinger, of California, of the Senate recognized Majority Leader Michael J. Mansfield, of Montana, who then discussed the implications of a recent shift in party affiliation by a Senator who sat on the Committee on Commerce and the Committee on Armed Services. The relationship between party affiliation and the composition of most committees⁽⁶⁾ is readily ap-

3. *Id.* at p. 9448.

4. See §9.5, *infra*, where the more typical situation of maintaining appropriate party ratios within committees was discussed in the Senate relative to a decision of a Senator to change his party affiliation.

5. 110 CONG. REC. 22369, 88th Cong. 2d Sess.

6. See §9.4, *supra*, for an instance in which the membership of a par-

parent in the exchange which ensued:

MR. MANSFIELD: Mr. President, in view of the fact that the distinguished Senator from South Carolina [Mr. Thurmond] has, on his own volition, changed his allegiance from the Democratic to the Republican Party, I feel that I should make a statement relative to his committee assignments.

The present Senate ratio is 66 Democrats to 34 Republicans—that is, with the Senator from South Carolina [Mr. Thurmond] going over to the Republican side of the aisle.

This means that the Democrats would be entitled to 66 percent of the membership on the two committees. The present overall membership on both committees is 17.

Prior to Senator Thurmond's change of party, the Democrats had 12 seats on each and the Republicans had 5.

When I refer to these two committees, I refer of course to the Committee on Commerce and the Committee on Armed Services.

If the party ratio of the present membership of the Senate as a whole is applied to the 17-man membership of each committee, it yields 11.2 Democrats and 5.8 Republicans. In the circumstances, unless it is intended to change the old ratio in some other committee or committees, it would appear that the Republicans would be entitled to an additional seat on each of the two committees and the Democrats would lose them. In short, the ratio would become 11 to 6 instead of 12 to

titular committee in the House was divided equally between the majority and minority parties.

5. Following precedent, each party determines its choice of members for each committee. In the present circumstances, it would be, therefore, the decision of the Republican caucus as to whether or not Senator Thurmond retains his present membership on the two committees or some other Republican is substituted for him and he is otherwise assigned. If he remains on the Armed Services and Commerce by choice of the Republican caucus, no Senate action is necessary. If the Republicans decide to shift him, a pro forma resolution of the Senate would be necessary to reflect the shift.

MR. [EVERETT MCKINLEY] DIRKSEN [of Illinois]: Mr. President, will the majority leader yield?

MR. MANSFIELD: I yield.

MR. DIRKSEN: I am delighted that the majority leader has clarified this question concerning the party ratio on the two committees in question. We shall have a policy meeting tomorrow. And it is entirely correct that this matter should be discussed. I am delighted, indeed, that the majority leader has clarified the situation at this time.

MR. MANSFIELD: I thank the minority leader.

Designation of Rank

§ 9.6 The House adopted a resolution electing a Member to a committee of the House and designating his rank thereon.

On June 29, 1961,⁽⁷⁾ Speaker Sam Rayburn, of Texas, recog-

7. 107 CONG. REC. 11797, 87th Cong. 1st Sess.

nized Mr. Wilbur D. Mills, of Arkansas, who offered the following privileged resolution (H. Res. 367):

Resolved, That J. Edward Roush, of Indiana, be, and he is hereby elected, a member of the standing committee of the House of Representatives on Science and Astronautics and to rank number 10th thereon.

Immediately thereafter, the resolution was agreed to.

Parliamentarian's Note: The election of Mr. Roush to the committee was delayed pending the resolution of a contested-election case involving his seat. He did not take the oath as a Member until June 14, 1961.

§ 9.7 The House agreed to a resolution electing Members to a committee and fixing their relative rank thereon.

On Feb. 8, 1943,⁽⁸⁾ the following resolution (H. Res. 103) was considered and agreed to:

Resolved, That the following-named Members be, and they are hereby elected members of the standing Committee of the House of Representatives on the District of Columbia, to rank as follows:

Third, Thomas D'Alesandro, Jr., Maryland.

Fifth, Sam M. Russell, Texas.

Sixth, Oren Harris, Arkansas.

Seventh, F. Edward Hébert, Louisiana.

Electing Members to Vacancies

§ 9.8 A resolution electing five Members to individual vacancies on five standing committees was agreed to by the House.

On July 25, 1963,⁽⁹⁾ Speaker John W. McCormack, of Massachusetts, recognized Mr. Wilbur D. Mills, of Arkansas, who offered a privileged resolution (H. Res. 459) and sought its immediate consideration.

The Clerk then read the resolution, as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Banking and Currency: Compton I. White, Idaho.

Committee on House Administration: Lucien N. Nedzi, Michigan.

Committee on the Judiciary: Don Edwards, California.

Committee on Post Office and Civil Service: Charles H. Wilson, California.

Committee on Un-American Activities: George F. Senner, Jr., Arizona.

Immediately thereafter, the resolution was agreed to.

Parliamentarian's Note: The vacancies resulted both from res-

8. 89 CONG. REC. 692, 78th Cong. 1st Sess.

9. 109 CONG. REC. 13336, 88th Cong. 1st Sess.

ignations accepted by the House and from failure to elect to some of the named committees in the first instance up to the total size designated in Rule X.

Electing Members of Abolished Committee to Newly Created Committee

§ 9.9 The House adopted a privileged resolution electing the sitting majority and minority members of the Committee on Un-American Activities to the newly created Committee on Internal Security and rereferring all bills and other papers pending before the Committee on Un-American Activities to the new committee.

On Feb. 18, 1969,⁽¹⁰⁾ following the passage⁽¹¹⁾ of a resolution (H. Res. 89) abolishing the Committee on Un-American Activities and transferring its jurisdiction, records, and property to a new standing committee to be known as the Committee on Internal Security, Speaker John W. McCormack, of Massachusetts, recognized Wilbur D. Mills, of Arkansas, Chairman of the Democratic Committee on Committees, who

10. 115 CONG. REC. 3747, 91st Cong. 1st Sess.

11. *Id.* at p. 3746.

offered a privileged resolution (H. Res. 251)⁽¹²⁾ which read as follows:

Resolved, That the following-named Members be, and they are hereby, elected to the standing Committee of the House of Representatives on Internal Security: Richard H. Ichord (chairman), Missouri; Claude Pepper, Florida; Edwin W. Edwards, Louisiana; Richardson Preyer, North Carolina; Louis Stokes, Ohio; John M. Ashbrook, Ohio; Richard L. Roudebush, Indiana; Albert W. Watson, South Carolina; William J. Scherle, Iowa.

Resolved, That all bills, resolutions, executive communications, petitions and memorials heretofore referred to the Committee on Un-American Activities in the 91st Congress are hereby referred to the Committee on Internal Security.

The resolution was immediately agreed to.

Parliamentarian's Note: Both majority and minority party members were elected by name (rather than by simply electing the "sitting members of the Committee on Un-American Activities to the Committee on Internal Security") so that their election could be more easily certified to a court in case of legal proceedings dealing with the committee. This procedure avoided the necessity of referring back to the previous resolutions electing them to the Committee on Un-American Activities.

12. *Id.* at p. 3747.

Electing Standing Committee Members to Newly Renamed Committee

§ 9.10 The House agreed to a resolution providing that those members elected to the Committee on Expenditures in the Executive Departments were thereby elected, though not individually named, to the Committee on Government Operations, and all documents previously referred to the Committee on Expenditures in the Executive Departments were transferred to the Committee on Government Operations.

On July 4, 1952,⁽¹³⁾ Speaker Sam Rayburn, of Texas, recognized Mr. John W. McCormack, of Massachusetts, who offered the following privileged resolution (H. Res. 735) and asked for its immediate consideration:

Resolved, That those Members of the House elected to the Committee on Expenditures in the Executive Departments are hereby elected to the Committee on Government Operations, and all records and papers of the Committee on Expenditures in the Executive Departments are hereby transferred to the Committee on Government Operations.

That all bills, resolutions, communications, papers, documents, petitions,

13. 98 CONG. REC. 9376, 82d Cong. 2d Sess.

and memorials heretofore referred to the Committee on Expenditures in the Executive Departments are hereby referred to the Committee on Government Operations.

Immediately thereafter, the resolution was agreed to.⁽¹⁴⁾

§ 9.11 The rules were amended to change the name of the Committee on Public Lands to the Committee on Interior and Insular Affairs. The members elected to the Committee on Public Lands were immediately thereafter elected to the Committee on Interior and Insular Affairs, and all papers and documents were to be transferred to the newly named committee.

On Feb. 2, 1951,⁽¹⁵⁾ the Committee on Public Lands became the Committee on Interior and Insular Affairs. The proceedings took place, as follows:

MR. [JOHN E.] LYLE [Jr., of Texas]: Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 100 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

14. On the preceding day, the name change was effected in the rules; see 98 CONG. REC. 9217, 82d Cong. 2d Sess., July 3, 1952.

15. 97 CONG. REC. 883, 884, 82d Cong. 1st Sess.

Resolved, That Clause (a) 14 of rule X of the Rules of the House of Representatives is amended by striking out "Committee on Public Lands" and inserting in lieu thereof "Committee on Interior and Insular Affairs."

Clause (1) (n) of rule XI is amended by striking out "Committee on Public Lands" and inserting in lieu thereof "Committee on Interior and Insular Affairs."

Clause (2) (a) of rule XI is amended by striking out "Committee on Public Lands" where it appears in the said clause and inserting in lieu thereof "Committee on Interior and Insular Affairs."

Clause 1 of rule XII is amended by striking out "Public Lands" where it appears in said clause and inserting in lieu thereof "Interior and Insular Affairs." . . .

MR. [JOHN R.] MURDOCK [of Arizona]: Mr. Speaker, I offer the following resolution (H. Res. 111) to implement the resolution just adopted, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That those Members of the House elected to the Committee on Public Lands are hereby elected to the Committee on Interior and Insular Affairs, and all records and papers of the Committee on Public Lands are hereby transferred to the Committee on Interior and Insular Affairs.

That all bills, resolutions, communications, papers, documents, petitions, and memorials heretofore referred to the Committee on Public Lands are hereby referred to the Committee on Interior and Insular Affairs.

The resolution was agreed to.

Electing Incumbent Members for Specified Time for Organizational Purposes

§ 9.12 The House adopted three privileged resolutions, offered from the floor by the Chairman of the Democratic Caucus, electing [incumbent] members of the majority to certain committees until Mar. 1, 1973, or until adoption prior to that date of resolutions providing otherwise.

On Jan. 6, 1973,⁽¹⁶⁾ Olin E. Teague, of Texas, Chairman of the Democratic Caucus, offered seriatim three privileged resolutions (H. Res. 95, H. Res. 96, H. Res. 97) electing incumbent members of his party to three of the House's standing committees with a proviso limiting the extent of the members' service. The proviso, identically worded in all three resolutions, indicated that the election of the Members was valid only "until March 1, 1973, unless a resolution providing otherwise is adopted by the House. . . ."

House Resolutions 95, 96, and 97—electing Democratic members to the Committees on Appropriations, Rules, and House Administration, respectively—were all agreed to, immediately.

16. 119 CONG. REC. 380, 93d Cong. 1st Sess.

Parliamentarian's Note: These resolutions reflected the policy of the Democratic Caucus that it approve of all recommendations submitted by its Committee on Committees (which had not then been organized, the Ways and Means majority no longer serving as the Democratic Committee on Committees in the 93d Congress), yet permitted the named committees to be able to transact organizational business at the beginning of the session.

Election of Delegate

§ 9.13 By privileged resolution, the House elected the Delegate from the District of Columbia to the Committee on the District of Columbia as required by the rules.

On Apr. 21, 1971,⁽¹⁷⁾ Speaker Carl Albert, of Oklahoma, recognized Mr. Wilbur D. Mills, of Arkansas, who offered the following privileged resolution (H. Res. 398):

Resolved, That Walter E. Fauntroy, Delegate from the District of Columbia, be, and he is hereby, elected to the standing committee of the House of Representatives on the District of Columbia.

The resolution was agreed to, immediately.

17. 117 CONG. REC. 11151, 92d Cong. 1st Sess.

Parliamentarian's Note: The rules provide⁽¹⁸⁾ that:

The Delegate from the District of Columbia shall be elected to serve as a member of the Committee on the District of Columbia and each Delegate to the House shall be elected to serve on standing committees of the House in the same manner as Members of the House and shall possess in all committees on which he serves the same powers and privileges as the other members.

The Delegate from the District of Columbia is elected to serve as an additional member of the Committee on the District of Columbia. Prior to 1975, the rules⁽¹⁹⁾ listed the numerical size of every standing committee. If the House chose to increase the size of a committee, the Members would adopt a resolution to that effect. In the traditional practice, however, the Delegate from the District of Columbia was not counted as being among the regular number of members on that committee. Accordingly, resolutions electing the Delegate did not call for an increase in the number of members on the committee. The same principle applied to the election of a Delegate or a Resident Commissioner to other committees pursuant to the rules.

Whether or not the election of a Delegate or Resident Commis-

18. Rule XII clause 2, *House Rules and Manual* § 740 (1973).

19. See Rule X clauses 1(a)–(u), *House Rules and Manual* § 670 (1973).

sioner affects the party ratios has been a determination made by the party organizations (i.e., the Democratic Caucus and the Republican Conference) from Congress to Congress.

Election of Majority Leader to Committee

§ 9.14 A Member [who was also the Majority Leader] was elected to the Committee on Science and Astronautics.

On May 15, 1961,⁽¹⁾ following the passage of a resolution (H. Res. 289) providing that the Committee on Science and Astronautics would be composed of 26 members during the 87th Congress, Speaker Sam Rayburn, of Texas, recognized Mr. Wilbur D. Mills, of Arkansas, who offered the following privileged resolution (H. Res. 290) which read in part:

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Science and Astronautics: John W. McCormack, Massachusetts. . . .

Immediately thereafter, the resolution was agreed to.

1. 107 CONG. REC. 7965, 87th Cong. 1st Sess.

Serving on Two or More Committees

§ 9.15 The Committee on Rules is considered by the Republican Committee on Committees to be an "exclusive" committee; therefore, Republican members of the Committee on Rules are not generally permitted to hold assignments on the other standing committees.

On Feb. 7, 1966,⁽²⁾ Speaker John W. McCormack, of Massachusetts, laid before the House the following letter of resignation:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 7, 1966.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I herewith tender my resignation as a member of the Committee on Agriculture.

Having thoroughly enjoyed my work on this committee, I wish to advise the House that this resignation is being submitted in accordance with a decision of our committee on committees that members of the Committee on Rules should not have dual committee assignments.

Sincerely yours,
DELBERT L. LATTA,
Representative to Congress.

Immediately thereafter, the Chair inquired as to whether

2. 112 CONG. REC. 2383, 2384, 89th Cong. 2d Sess.

there was any objection, and none being heard, the resignation was accepted.

Membership as Retroactive

§ 9.16 The House may adopt a resolution electing a Member to a committee retroactively and fixing his rank on such committee accordingly.

On Nov. 2, 1939,⁽³⁾ in a special session of Congress, Mr. E. C. Gathings, of Arkansas, was elected to membership on the Committee on Claims [later to be incorporated into the Committee on the Judiciary] .

MR. [JERE] COOPER [of Tennessee]: Mr. Speaker, I offer the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

HOUSE RESOLUTION 322

Resolved, That E. C. Gathings, of Arkansas, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Claims as of June 2, 1939, and shall take rank accordingly.

THE SPEAKER:⁽⁴⁾ The question is on agreeing to the resolution.

The resolution was agreed to.

Parliamentarian's Note: Mr. Gathings had been serving on the

committee for several months due to a misconception, shared by all committee members, that he had already been validly named to that committee.

§ 10. Appointments to Select Committees

Speaker Appoints Chairman and Members

§ 10.1 The Speaker appoints the chairmen and members of select committees; such appointments are generally made by the Speaker immediately after the adoption of the resolution creating the committee.

On July 10, 1969,⁽⁵⁾ Speaker John W. McCormack, of Massachusetts, recognized Mr. Ray J. Madden, of Indiana, who, by direction of the Committee on Rules, called up a resolution (H. Res. 472) and asked for its immediate consideration.

The resolution read as follows:

Resolved, That (a) there is hereby created a select committee to be known as the "Committee on the House Restaurant," which shall be composed of five Members of the House of Representatives to be appointed by the

3. 85 CONG. REC. 1283, 76th Cong. 2d Sess.

4. William B. Bankhead (Ala.).

5. 115 CONG. REC. 19080, 91st Cong. 1st Sess.